| Notice of Allowability | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/974,769 | KOSCAL, MICHAEL E. | |
| | Examiner | Art Unit | |
| | Philip J. Sobutka | 2684 | |

***-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--***

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Amendment After Final filed 6-23-2004*.

2. ☒ The allowed claim(s) is/are *1-7*.

3. ☒ The drawings filed on *09 October 2001* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Consider claim 1. The nearest prior art as shown in Hsieh and Cummiskey fails to teach a wireless unit comprising: a first communication port; a communication pod controller responsive to first data received at the first communication pod to buffer the first data; a second communication port configured to couple to an audio input line; a codec responsive to a sampling interrupt to generate an audio sample from available audio data received at the second communication pod; a wireless modem responsive to a first signal to encode the first data in a first frame, wherein the first signal is derived from command data received at the communication pod, and wherein the wireless modem is responsive to a second signal to encode the audio sample in a second frame; and a radio transceiver responsive to the first signal and to a frame interrupt to transmit a first RF signal frame representing the first frame, and responsive to the second signal and to the frame interrupt to consecutively transmit a second RF signal frame representing the second frame, the radio transceiver receiving no RF signal between the transmission of the first and second RF signal frames.

Consider claim 2. The nearest prior art as shown in Hsieh and Cummiskey fails to teach a wireless unit comprising: a micro controller; a data memory; a computer communication port; an outgoing data buffer storing data bits received at the computer communication port; an auxiliary communication port configured to receive audio input; a codec; a frame buffer storing bits to be represented by an RF signal; a sample transfer routine comprising instructions stored in the data memory, the instructions

executable by the micro controller, the sample transfer routine responsive to a codec interrupt to transfer available first audio samples received at the auxiliary communication port to the codec, and to transfer available second audio samples from the codec to the frame buffer; and a data transfer routine comprising instructions stored in the data memory, the instructions executable by the micro controller, the data transfer routine responsive to the codec interrupt to transfer data from the outgoing data buffer to the frame buffer, wherein the audio samples and the data are consecutively stored in the frame buffer for transmission as a pair.

Consider claim 5. The nearest prior art as shown in Hsieh and Cummiskey fails to teach a method for communicating voice and data signals, the method comprising: determining if a first analog audio sample is available at a communication port of a wireless communication device; if the first analog audio sample is available; converting the first analog audio sample to a first digital audio sample; compressing the digital audio sample to a create a first compressed audio sample; generating first RF signals to represent the first compressed audio sample; transmitting with a radio transceiver the first RF signals in a first RF signal frame; receiving with the radio transceiver a second RF signal frame including second RF signals; decompressing the second RF signals to create a second digital audio sample; converting the second digital audio sample to a second analog audio sample; transmitting the second analog audio sample to an audio output of the wireless communication device; receiving first data at a communication port of the wireless communication device; generating third RF signals representing the first data; and transmitting with the radio transceiver the third RF signals in third and

fourth consecutive RF frames if the first analog audio sample is available, the radio transceiver receiving no RF frame between the transmission of the third and fourth RF frames.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for Allowance.

NICK CORSARO
PRIMARY EXAMINER

UNITED STATES DEPARTMENT OF COMMERCE
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**